

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Applicant:</b> BRADLEY L. CHRISTENSON, et al.	
<b>Serial No.:</b> To Be Assigned	
<b>Filed:</b> Herewith	<b>Docket No.</b> 19654-243493
<b>For:</b> COATED POTASSIUM CHLORIDE GRANULES AND TABLETS	

COMBINED DECLARATION AND  
POWER OF ATTORNEY IN ORIGINAL APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled COATED POTASSIUM CHLORIDE GRANULES AND TABLETS, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed</u>
<u>None</u>	<u>          </u>	<u>                                  </u>	Yes <u>    </u> No <u>    </u>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which

occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Appln. Ser. No.	Filing Date	Status: patented, pending abandoned
<u>10/040,070</u>	<u>October 23, 2001</u>	<u>pending</u>

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Felicia J. Boyd, Reg. No. 32,683; Paul W. Busse, Reg. No. 32,403; Lynn C. Cameron, Reg. No. 44,581; John M. Haurykiewicz, Reg. No. 29,311; Robert B. Leonard, Reg. No. 33,946; Walter C. Linder, Reg. No. 31,707; Karl G. Schwappach, Reg. No. 35,786; William K. Weimer, Reg. No. 38,655; Gary S. Weinstein, Reg. No. 42,217; and Peter J. Georges, Reg. No. 25,867 (counsel's Washington, D. C. associate).

Address all correspondence to Paul W. Busse, FAEGRE & BENSON LLP, 2200 Wells Fargo Center, 90 South Seventh St., Minneapolis, MN 55402-3901, telephone 612/766-7046.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Bradley L. Christenson

Inventor's signature: *Bradley L. Christenson*

2/12/02  
Date

Residence: Blaine, Minnesota

P.O. Address: same as above

Citizenship: United States

Full name of second joint inventor: Mark J. Pieloch

Inventor's signature: \_\_\_\_\_

\_\_\_\_\_  
Date

Residence: Lincoln, Nebraska

P.O. Address: same as above

Citizenship: United States

occurred between the filing date of the prior application and the national or PCT international filing date of this application:

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Full name of first joint inventor: Bradley L. Christenson

Inventor's signature: \_\_\_\_\_ Date \_\_\_\_\_

Residence: Blaine, Minnesota

P.O. Address: same as above

Citizenship: United States

Full name of second joint inventor: Mark J. Pieloch

Inventor's signature: Mark J. Pieloch 01-30-02  
Date

Residence: Lincoln, Nebraska

P.O. Address: same as above

Citizenship: United States

## **ASSIGNMENT**

WHEREAS, we, Bradley L. Christenson, of Blaine, Minnesota, and Mark J. Pieloch, of Lincoln, Nebraska, have invented certain new and useful improvements in COATED POTASSIUM CHLORIDE GRANULES AND TABLETS, in which an application is about to be made for Letters Patent of the United States, said application having been executed on even date herewith, and which may be identified in the United States Patent Office by Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and

WHEREAS, Upsher-Smith Laboratories, Inc., Corporation of the State of Minnesota, and having an address of 14905 - 23rd Ave. N., Minneapolis, MN 55447, is desirous of acquiring the entire right, title and interest in and to said invention, said application and in, to and under any and all Letters Patent to be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred, and by these presents do hereby sell, assign and transfer unto the said Upsher-Smith Laboratories, Inc., its successors and assigns, the entire right, title and interest in and to said invention, said application and the Letters Patent, both foreign and domestic, that may or shall issue, including all rights under the International Convention, and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned assignee in accordance herewith.

We Hereby Authorize the above-mentioned assignee, its successors and assigns or anyone it may properly designate, to insert in this instrument the filing date and Serial Number of said application when ascertained.

We Further Authorize said assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent, in its own name, if desired, in any and all foreign countries, and additionally to claim the filing date of said United States application and/or otherwise take advantage of the provisions of the International Convention.

We do hereby covenant and agree with the said assignee, its successors and assigns, that we will not execute any writing or do any act whatsoever conflicting with these presents, and that we or our executors or administrators will, at any time upon request, without further or additional consideration, but at the expense of said assignee, its successors and assigns, execute such additional writings and do such additional acts as said assignee, its successors and assigns, may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, reissued or extended Letters Patent of the United States, or of any and all foreign countries on said invention, and in enforcing any rights, occurring as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents.

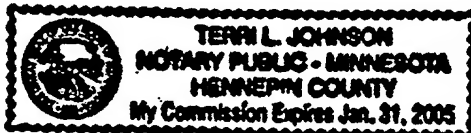
In Witness Whereof, we have hereunto set our hands and affixed our seals on the date written below.

Bradley L. Christenson  
Bradley L. Christenson

10/16/01  
Date

STATE OF MINNESOTA     )  
  ) ss.  
COUNTY OF Hennepin     )

On this October 16, 2001 before me personally appeared Bradley L. Christenson, to me known to be the person described in and who executed the foregoing instrument and acknowledged that s/he executed the same as his/her free act and deed.



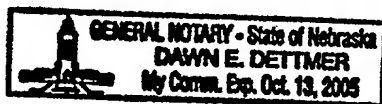
Terri L. Johnson  
Notary Public

Mark J. Pieloch  
Mark J. Pieloch

10-22-01  
Date

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF CTCE     )

On this 22nd October 2001 before me personally appeared Mark J. Pieloch, to me known to be the person described in and who executed the foregoing instrument and acknowledged that s/he executed the same as his/her free act and deed.



Dawn E. Dettmer  
Notary Public

M2:20418181.01  
(F&B 11/12/98)